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RUCNDT/USMISSION USUN NEW YORK PRIORITY 1311

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STATE PASS AID FOR LAC/CAR  
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WHA/EX PLEASE PASS USOAS

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SUBJECT: NEW MINISTER OF CULTURE NAMED AS FORMER IS EXONERATED

REF: PORT AU PRINCE 1407

**¶1.** (U) This message is sensitive but unclassified -- please protect accordingly.

**¶2.** (SBU) Summary: The GOH installed a new Minister of Culture, Eddy Lubin, on September 25, just days after two government oversight bodies cleared impeached Minister of Culture Daniel Elie of charges of corruption and misappropriation of funds. President Preval immediately sent a letter to Elie congratulating him and thanking him for his service. In a second letter, Preval chastised the Chamber of Deputies for all but abusing their constitutional authority to unseat government ministers. While the exoneration of Elie is a boon for Preval, who defended his close friend throughout the proceedings, Preval's triumphant reaction is gratuitously provocative toward the legislature. End summary.

**¶3.** (U) Prime Minister Alexis installed a new Minister of Culture and Communication, Eddy Lubin, on September 25. Minister Lubin previously worked at the Institute for Preservation of National Heritage (ISPAN in French) in Cap Haitien, Haiti's second largest city. On September 21, just days before Lubin's installation, two government oversight bodies - the Superior Court of Accounting and Administrative Disputes (CSCCA) and the Anti-Corruption Unit (ULCC) - exonerated the then-caretaker Minister of Culture Daniel Elie of wrongdoing during his tenure. (Note: The Chamber of Deputies passed a vote of no confidence against Elie on July 31, accusing him of misusing 80 million Haitian gourdes (approximately USD 2.25 million) during the annual Carnival celebrations in February. Elie submitted his official resignation on August 9, but Preval kept him on in a caretaker role pending naming of a successor. According to Haiti's constitution, a simple majority vote of no confidence in a minister by either house of the legislature obliges the Executive to remove that minister from office. See reftel. End note.)

**¶4.** (U) According to the CSCCA, "With the exception of certain noted flaws in the accounting system of the Ministry of Culture and Communication, the financial records concerning the organization of Carnival 2007 present faithfully the financial transactions carried out by the

Ministry.'' The report continues, ''the verification did not reveal any major irregularities that qualify as embezzlement, diversion of funds or theft.'' Similarly, the ULCC stated that the facts uncovered during their investigation did not constitute any ''corruption'' on the part of Daniel Elie.

¶ 15. (U) In an open letter to Elie on September 21, President Preval congratulated his longtime friend on his ''devotion, competence, and integrity'' during his tenure as Minister, and thanked him for being part of the government team.

¶ 16. (U) In a separate letter to President of the Chamber of Deputies Pierre Eric Jean Jacques, Preval cautioned against ''exposing to derision'' the constitutional mechanisms provided to the Parliament to fight corruption, referring to Parliament's right to revoke government ministers. In the letter, Preval described his own fight against corruption as an attempt to restore respect and dignity to public servants. He added that public servants must be protected from ''unprompted or fanciful attacks.''

¶ 17. (SBU) Comment: The CSCCA and ULCC findings have vindicated Preval in his unwavering protection of Daniel Elie. However, in a situation that has already caused much tension between the Executive and the Parliament, Preval's open letters are a gratuitous slap in the face to the Chamber of Deputies. His harsh, patronizing tone in the letter to the Chamber only risks further inflaming animosity between the two branches.

TIGHE